

monthly balance in Plaintiff's institutional account over the past six months. *See* Doc. 17, at 2 & Att. 1, at 2; *see also* 28 U.S.C. § 1915(b)(1). **The Court advises that unless by the date specified above Plaintiff has either (1) paid the initial partial filing fee, or (2) shown cause in writing for the failure to pay, this action will be subject to dismissal without prejudice to refiling, and no fees or costs will be imposed or collected. Moreover, Plaintiff may voluntarily dismiss this action in accordance with Fed. R. Civ. P. 41(a) on or before July 21, 2020, without incurring any fees or costs.**

The Court further orders that after payment of the initial partial filing fee, Plaintiff shall make monthly payments of 20 percent of the preceding month's income credited to his prison account(s) until he has paid the total filing fee of \$350. 28 U.S.C. § 1915(b)(2). This Court will enter an order directing the agency having custody of Plaintiff to collect and forward such monthly payments to the Clerk of the Court each time the institutional account balance(s) exceed(s) \$10.00 until the filing fee is paid in full. *Id.* Interference by Plaintiff in the submission of these funds shall result in the dismissal of this action.

The Court advises Plaintiff that notwithstanding any filing fee, or any portion thereof, that may have been paid, the Court shall dismiss at any time all or any part of such complaint which (1) is frivolous or malicious; (2) fails to

state a claim on which relief can be granted; or (3) seeks monetary relief from a defendant who is immune from such relief. 28 U.S.C. §§ 1915A; 1915(e)(2). The Court further advises Plaintiff that such monthly payments will continue to be collected until full payment of the filing fee has been received by the Court even after disposition of the case and regardless of whether relief is granted or denied.

The Clerk of the Court shall not issue process until further order of the Court, and the Clerk shall send a copy of this order to the agency having custody of Plaintiff.

IT IS SO ORDERED this 30th day of June, 2020.



SUZANNE MITCHELL
UNITED STATES MAGISTRATE JUDGE